

Honorable Franklin D. Burgess

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

BARRY CHRISTIANSON; ALVIN FISCHER;  
REV. MARK GALLAGHER; JUANITA  
GREENWAY; HELEN HEWITT; JORDIS I.  
JENSEN; JON JORDENS; PAUL KING;  
NANCY MCCARTER; RALPH K. OLSEN;  
BEVERLY SCHWARTZ; WILLIAM HUGH  
SHUFORD; AND PAUL L. WHITING,

Plaintiffs,

VS.

MICHAEL O. LEAVITT, Secretary of Health and Human Services, in his official capacity, and in his individual capacity; INSTITUTE FOR YOUTH DEVELOPMENT; and NORTHWEST MARRIAGE INSTITUTE.

## Defendants.

Case No. CV 06-05520 FDB

**STIPULATION AND ORDER  
REGARDING MOTION FOR  
EXPEDITED DISCOVERY AND  
BRIEFING SCHEDULE ON  
PRELIMINARY INJUNCTION  
MOTION AND MOTIONS TO  
DISMISS AND/OR OTHER  
DISPOSITIVE MOTIONS**

## STIPULATION

The parties to this matter through their undersigned attorneys hereby stipulate and agree to entry of the subjoined Order as follows:

WHEREAS, plaintiffs filed a motion for expedited discovery on November 9, 2006;

WHEREAS, defendants do not oppose the expedited discovery on the terms stated herein, but the parties have agreed that the requested documents will be produced to plaintiffs no later than December 22, 2006, and the requested depositions will occur on January 12, 2007;

1 WHEREAS, plaintiffs agree that defendants responses to the amended complaint will be  
2 due on January 25, 2007, which may include motions to dismiss and/or other dispositive  
motions;

3 WHEREAS, plaintiffs are willing to re-note their Preliminary Injunction motion to  
4 coordinate briefing on that motion and any motions filed by defendants on January 25,  
2007,

5 NOW THEREFORE, the parties agree that plaintiffs' motion for preliminary injunction  
6 will be re-noted for February 16, 2007; defendants' response to the preliminary  
injunction motion will be due on January 25, 2007; plaintiffs' reply in support of the  
7 preliminary injunction motion, along with their response to any motion to dismiss and/or  
8 other dispositive motions filed on January 25, 2007, will be due on February 11, 2007;  
and defendants' reply in support of their motions to dismiss and/or other dispositive  
motions will be due on February 16, 2007. Accordingly, plaintiffs' preliminary  
injunction motion and any motions to dismiss and/or other dispositive motions filed by  
defendants on January 25, 2007, will be fully submitted to the Court on February 16,  
2007.

11 :STIPULATED AND AGREED this \_\_\_\_ day of November, 2006.

12 PHILLIPS LAW GROUP, PLLC

13 /s/ John W. Phillips

14 John W. Phillips, WSBA No. 12185  
15 Attorney for Plaintiffs

COUNSEL FOR DEFENDANT  
MICHAEL O. LEAVITT

14 /s/ W. Scott Simpson

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23 /s/ John R. Danos (admitted pro hac vice)

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Counsel for Defendant Northwest Marriage  
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17 ORDER

18 Based on the Stipulation of the parties set forth above, and the records and files herein,  
19 the Court hereby ORDERS as follows:

20 1. Plaintiffs' motion for expedited discovery is granted and shall take place in  
21 accordance with the parties' stipulation;

22 2. Defendants' response to the amended complaint shall be due on January 25, 2007;

23 3. Plaintiffs' motion for preliminary injunction shall be re-noted for February 16,  
24 2007;

4. Any motion to dismiss and/or other dispositive motions filed by defendants in response to the amended complaint on January 25, 2007, will be noted for February 16, 2007; and
5. The briefing schedule for the motions identified in paragraphs 3 and 4 above shall be pursuant to the parties' stipulation.

DATED this 27<sup>th</sup> day of November 2006.



FRANKLIN D. BURGESS  
UNITED STATES DISTRICT JUDGE

Presented by:

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/s/ John W. Phillips

John W. Phillips, WSBA No. 12185

ARNOLD & PORTER, LLP

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7 Agreed as to Form and Notice of Presentation Waived:

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